

RECEIVED

JAN 23 2008

ROBERT H. SHEMWEILL, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE/OPELOUSAS DIVISION

PPG INDUSTRIES, INC., (a Pennsylvania  
Corporation), and PPG INDUSTRIES OHIO,  
INC. (a Delaware Corporation),

v.

JOSEPH BENNETT (an Individual),  
BENNETT'S PAINT & BODY SHOP (a Sole  
Proprietorship), SCOTT BOURQUE (an  
Individual), BIG SKY DISTRIBUTORS, L.L.C. (a  
Louisiana Limited Liability Company), Dale J.  
Messina, Jr. (an Individual), and JOHN DOES  
1-XX

CIVIL ACTION NO. CV 05-1648

MAGISTRATE JUDGE HILL

**CONSENT ORDER FOR PRELIMINARY INJUNCTION AGAINST  
BIG SKY DISTRIBUTORS, L.L.C. AND DALE J. MESSINA, JR.**

This matter came before the Court on Joint Motion for Voluntary Consent Order for Preliminary Injunction against defendants, Big Sky Distributors, L.L.C. and Dale J. Messina, Jr. (hereinafter the "Big Sky Defendants").

**IT IS HEREBY ORDERED** that the Joint Motion for Voluntary Consent Order for Preliminary Injunction is hereby granted as follows:

1. The Big Sky Defendants and their officers, directors, employees, agents, subsidiaries, distributors, dealers, and all persons in active concert or participation with any of them, are hereby enjoined from using, selling, distributing, advertising, promoting or otherwise dealing in automotive refinishing products bearing the PPG and/or DELTRON marks, or any confusingly similar marks, in connection with automotive refinish products, or any other products;

2. The Big Sky Defendants and their officers, directors, employees, agents, subsidiaries, distributors, dealers, and all persons in active concert or participation with any of them, are ordered to refrain from altering, defacing, destroying or otherwise discarding any products, materials, labels, documents or other items in their possession that display, use, refer to, or bearing the PPG and/or DELTRON marks, pursuant to 15 U.S.C. § 1118 and other applicable laws; and

3. The Big Sky Defendants and their officers, directors, employees, agents, subsidiaries, distributors, dealers, and all persons in active concert or participation with any of them, are ordered to deliver to the Big Sky Defendants' counsel, Gretchen Mayard, all goods in their possession bearing the PPG and/or DELTRON marks, pursuant to 15 U.S.C. § 1118 and other applicable laws. Counsel for the Big Sky Defendants, Gretchen Mayard, is to maintain custody of all such goods delivered to her and exercise exclusive control over all such goods until she is relieved of custodianship by authority of the Court.

Lafayette, Louisiana, this 23 day of January, 2006 at 9:50 o'clock am.

  
United States Magistrate Judge C. Michael Hill